

the sliding loop knot operable to slide along the fishing line to increase and decrease the diameter of the sliding loop.

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed April 6, 2001 (Paper No. 15). At the time of the Office Action, Claims 10-22 and 40 and 41 were pending in this Application. Claims 1-9 and 23-39 have been cancelled without prejudice or disclaimer. Claims 10-22 and 40-41 were rejected. Claims 10, 13, 17, 18, 22, 40 and 41 have been amended to further define various aspects of Applicant's invention. Applicant respectfully requests reconsideration and favorable action in this case.

Election/Restriction

Applicant expressly traverses the Examiner's statement that "The sliding loop can be used with other fish attractors such as without a gap between the eye and the shank." The use of a sliding loop with an open eye is an important feature of Applicant's invention. The Examiner is using Applicant's invention as the basis for this election/restriction requirement. Applicant respectfully notes that a gap between the eye and the shank of a hook is required for a sliding loop to be satisfactorily engaged and disengaged with the eye as defined in the amended claims. Applicant further notes that the Examiner has not cited any reference which teaches the use of a sliding loop as defined in Applicant's claims with a fishing attractor.

The references cited by the Examiner to reject the pending claims generally show threading a fishing line through the eye of a fishing device and then forming a knot. Except for U.S. Patent 2,835,069 to A.J. Flye, Sr. (hereinafter "Flye") the references cited by the Examiner show various types of knots which are generally used only one time to attach a fishing device to a fishing line. See Applicant's attached Declaration. Flye teaches the use of loop assemblies 12 and 13 to attached hook assemblies 14 and 15. Knot 23 used to form loop assemblies 12 and 13 is developed to prevent slippage. See Flye column 3 lines 7-9. **Flye does not show or teach a sliding loop as defined in the Amended Claims.**

Rejections under 35 U.S.C. § 102(b)

Claim 10 stands rejected under 35 U.S.C. §102(b), as being anticipated by The Uni-Knot. Applicant respectively notes that the Uni-Knot clearly teaches running the line through the eye of a hook or lure and then tying or forming a slip knot which may be tightened against the eye. The Uni-Knot does not show or teach a sliding loop "with a diameter that may be increased and decreased multiple times for releasably engaging the fishing line with the fishing device and disengaging the fishing line from the fishing device" or as defined in amended Claim 10. Applicant requests withdrawal of the rejection and allowance of Claim 10 as amended.

Claims 10, 11, 14, 22, and 41 stand rejected under 35 U.S.C. §102(b), as being anticipated by "Presenting the Fly – George Harvey Dry-Fly Knot" (hereinafter "Harvey"). Applicant notes that Harvey contains a 1999 copyright notice. This above referenced application is based on a provisional patent application which was filed on December 7, 1998.

Harvey expressly teaches placing a fishing line through the eye of a hook and then forming a dry fly knot on the fishing line. Applicant respectively traverses the Examiner's statement that Harvey teaches a sliding loop formed on a fishing line for releasably engaging the fishing line with a fishing device. As noted in Applicant's enclosed Declaration, Applicant requests withdrawal of the rejection and allowance of Claim 10 as amended.

Claims 11-16 are dependant directly or indirectly from Claim 10. Since Claim 10 as amended is now deemed allowable, Claims 11-16 are allowable.

Claim 14 further defines various features of Applicant's invention which are neither shown nor taught in Harvey. For example, Claim 14 calls for the fishing line having "...a first section... a second section... the sliding loop formed on the first end of the first section... the second end of the first section releasably engaged with the first end of the second section." Harvey clearly does not show or teach a fishing line as defined in Claim 14. Applicant requests withdrawal of the rejection and allowance of Claim 14.

Claim 22 as amended calls for a sliding loop formed by a method which is neither shown nor taught in Harvey. For example, Claim 22 calls for "...wrapping the first end of the fishing line... around a central portion of the fishing line... drawing the first end of the fishing line away from... the central portion of the fishing line to form the sliding loop knot." Harvey does not show or teach wrapping the first end of the fishing line around first and second loops and a central portion of the fishing line as defined in amended Claim 22. Applicant requests withdrawal of the rejection and allowance of Claim 22 as amended.

Claim 41 as amended defines various features of a fishing apparatus which are neither shown nor taught in Harvey. For example, Claim 41 calls for "the sliding loop having a diameter which may be decreased and increased to respectively engage and disengage the fishing line and a fishing device...." Harvey does not show or teach engaging and disengaging a sliding loop from a fishing device as defined in amended Claim 41. Claim 41 further defines a fishing apparatus with the sliding loop formed by a sliding loop knot with "the first end of the fishing line wrapped through both the first loop and the second loop and around a central portion of the fishing line...." Harvey does not show or teach wrapping the fishing line through both the first loop and the second loop and around a central portion of the fishing line. Applicant requests withdrawal of the rejection and allowance of Claim 41 as amended.

Rejections under 35 U.S.C. § 102b

Claims 11, 12 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Uni-Knot. Claim 17 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Harvey. As previously noted, Claims 11 and 12 are dependent from Claim 10. Since Claim 10 as amended is now deemed allowable, Claims 11 and 12 are allowable.

Claim 17 as amended calls for "A method for fabricating a no-tie fishing apparatus for releasably engaging and disengaging more than one fishing device... forming a sliding loop on the first end of the fishing device for releasably engaging and disengaging the fishing line with a first fishing device without untying the sliding loop." Applicant agrees

with the Examiner that leaders and tipets are old and well known in the art. Applicant expressly disagrees with the Examiner that the Uni-Knot or Harvey shows or teaches "forming a sliding loop on the first end of the fishing line for releasably engaging and disengaging the fishing line with a first fishing device without untying the sliding loop." Applicants written description and drawings clearly disclose this feature of Applicant's invention. However the Examiner has not cited any reference which discloses a method for fabricating a no-tie fishing apparatus as defined in amended Claim 17. Applicant's Declaration provides further comments about the Uni-Knot and Harvey. Applicant requests withdrawal of the rejection and allowance of Claim 17 as amended.

Claims 13, 16, 19, 20, 21 under U.S.C. §103(a) as being unpatentable over "Harvey" as applied to Claims 10 and 17, and in further view of U.S. Patent No. 2,672,704 issued to Clarence J. Smith (hereinafter "Smith"). Applicant respectfully submits that Smith does not show or teach the use of a sliding loop as defined in Claim 10 in combination with a fixed loop as defined in Claim 13 or a first fixed loop and a second fixed loop releasably engaged with each other as defined in Claim 16. Neither Harvey nor Smith show or teach releasably engaging a fishing device with a fishing line or releasably engaging the first section of a fishing line with a second section of a fishing line as defined in amended Claim 16. Applicant requests withdrawal of the rejections and allowance of Claims 13 and 16 as amended.

Claim 19 is dependent from Claim 17 and Claim 20 is dependent from Claim 19. Claim 17 as amended is now deemed allowable. Therefore, Claim 19 and 20 are allowable.

Applicant respectively notes that neither Harvey nor Smith show or teach "...forming the sliding loop on the first end of the first section... releasably engaging the first end of the second section with the second end of the first section" as defined in amended Claim 20. Applicant requests withdrawal of the rejection and the allowance of Claim 20 as amended.

Claim 21 is dependent from Claim 20. Claim 21 further calls for "forming a second fixed loop on the second end of the first section... forming a third fixed loop on the

first end of the second section... releasably engaging the first end of the second section with the second end of the first section by releasably engaging the third fixed loop with the second fixed loop". Neither Harvey nor Smith show releasably engaging first and second sections of a no-tie fishing apparatus as defined in amended Claim 21. Applicant requests withdrawal of the rejection and allowance of Claims 21 as amended.

Claim 15 stands rejected under U.S.C. §103(a) as being unpatentable over Harvey as applied to Claim 10, and in further view of U.S. Patent No. 3,831,309 issued to Leon L. Martuch (hereinafter "Martuch"). Applicant respectfully submits that Martuch teaches the use of heat shrinkable tubing. Martuch teaches away from using any knots. Applicant requests withdrawal of the rejection and allowance of Claim 15.

Claim 18 stands rejected under U.S.C. §103(a) as being unpatentable over Harvey as applied to Claim 17, and in further view of "The Uni-Knot."

Claim 18 is dependent from Claim 17. Since Claim 17 as amended is now deemed allowable, Claim 18 is also allowable.

Applicant further notes that Claim 18 calls for various method steps which are neither shown nor taught by the Uni-Knot. For example, Claim 18 as amended calls for "wrapping the first end of the fishing line through the first and second loops and around a central portion of the fishing line...to form the sliding loop which may be releasably engaged with and disengaged from the first fishing device." Applicant requests withdrawal of the rejection and allowance of Claim 18 as amended.

Claim 40 stands rejected under U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2,835,069 issued to A. J. Flye, Sr. (hereinafter "Flye") as applied to Claim 11 above, and further in view of "The Uni-Knot." Applicant respectfully notes that Flye does not show or teach a sliding loop having the various features as defined in amended Claim 40. For example, Flye does not show or teach "a sliding loop formed on the first end of the fishing line...for releasably engaging and disengaging the fishing line with the first fishing device and the second fishing device...." Applicant requests withdrawal of the rejection and allowance of Claim 40 as amended.

Information Disclosure Statement

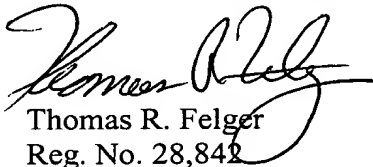
Applicant would like to thank the Examiner for acknowledging and considering Reference "X" as included in the Information Disclosure Statement and cited on the PTO Form 1449 submitted September 17, 1999 in compliance with 37 C.F.R. §§1.97 and 1.98. Applicant appreciates the Examiner's review of, and initialing, this paper confirming that Reference "X" was properly cited and submitted.

CONCLUSION

Applicant has now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicant respectfully requests reconsideration of the rejection and allowance of Claims 10-22, 40 and 41 as amended.

No fee appears to be due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P. If there are any matters concerning this application that could be cleared up in a telephone conversation, please contact the Applicant's attorney at 512.322.2599.

Respectfully submitted,
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Enclosure: (1) Version with Markings to Show Changes Made
(2) Declaration Under 37 C.F.R. § 1.132 (Rule 132 Declaration)

Version with Markings to Show Changes Made

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IN THE CLAIMS:

For the convenience of the Examiner, all pending claims of the application are reproduced below. Please amend the claims as follows:

Claims 1-9 have been canceled without prejudice or disclaimer.

10. **(Twice Amended)** A no-tie fishing apparatus for a fishing device comprising:
a fishing line having a first end; and
a sliding loop formed on the first end of the fishing line with a diameter that may be increased and decreased multiple times for releasably engaging the fishing line with the fishing device and disengaging the fishing line from the fishing device.

11. The fishing apparatus of Claim 10, wherein the fishing line comprises a tippet.

12. The fishing apparatus of Claim 10, wherein the fishing line comprises a leader.

13. **(Amended)** The fishing apparatus of Claim 10, further comprising the fishing line having a second end **[with] and** a fixed loop disposed **[thereon] on the second end**.

14. The fishing apparatus of Claim 10, wherein the fishing line further comprises:
a first section having a first end and a second end;
a second section having a first end and a second end;
the sliding loop formed on the first end of the first section; and
the second end of the first section releasably engaged with the first end of the second section.

15. The fishing apparatus of Claim 14, wherein the first section comprises a tippet, and wherein the second section comprises a leader.

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16. **(Amended)** The fishing apparatus of Claim 14, further comprising:
a first fixed loop formed on the second end of the first section;
a second fixed loop formed on the first end of the second section; and
the first fixed loop and the second fixed loop releasably engage with
each other.

17. **(Twice Amended)** A method for fabricating a no-tie fishing apparatus for
releasably engaging and disengaging more than one [a] fishing device comprising:
providing a fishing line, the fishing line having a first end; and
forming a sliding loop on the first end of the fishing line for releasably engaging and
disengaging the fishing line **[and the] with a first** fishing device without untying the sliding
loop.

18. **(Amended)** The method of Claim 17, wherein the step of forming a sliding
loop comprises:
forming a first loop with a first end of the fishing line;
forming a second loop with the first end of the fishing line, the second loop formed
adjacent the first loop;
wrapping the first end of the fishing line through the first and second loops and
around a central portion of the fishing line; and
drawing the first end of the fishing line away from the first and second loops to form
the sliding loop which may be releasably engaged with and disengaged from the first
fishing device.

19. **(Amended)** The method of Claim 17, further comprising forming a first fixed
loop on a second end of the fishing line.

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20. **(Amended)** The method of Claim 19, wherein the fishing line further comprises:
a first section having a first end and a second end;
a second section having a first end and a second end;
wherein the step of forming a sliding loop comprises forming the sliding loop on the first end of the first section; and
releasably engaging the first end of the second section with the second end of the first section.

21. **(Amended)** The method of Claim 20, further comprising:
forming a second fixed loop on the second end of the first section;
forming a third fixed loop on the first end of the second section; and
releasably engaging the first end of the second section with the second end of the first section by releasably engaging the third fixed loop with the second fixed loop.

22. **(Amended)** A sliding loop formed on one end of a fishing line **[by a sliding loop knot]**, the sliding loop knot formed by a method comprising:
forming a first loop with a first end of the fishing line;
forming a second loop with the first end of the fishing line, the second loop formed adjacent the first loop;
wrapping the first end of the fishing line through the first and second loops and around a central portion of the fishing line; and
drawing the first end of the fishing line away from the first and second loops **and the central portion of the fishing line** to form the sliding loop knot.

Claims 23-39 have been canceled without prejudice or disclaimer.

Claims 40 and 41 have been added.

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40. (Amended) A fishing apparatus for releasable engagement with and disengagement from a first fishing device and engagement with and disengagement from a second fishing device comprising:

a fishing line having a first end with a sliding loop formed on the first end of the fishing line;

the sliding loop providing means for releasably engaging and disengaging the fishing line with [a] the first fishing device and the second fishing device;

the fishing line having at least a first section and a second section;

the first section and the second section having respective first ends and second ends;

the first end of the first section corresponding with the first end of the fishing line with the sliding loop formed thereon;

a first fixed loop formed on the second end of the first section and a second fixed loop formed on the first end of the second section; and

the first fixed loop and the second fixed loop releasably engaged with each other.

41. (Amended) A fishing apparatus for releasable engagement with a fishing device comprising:

a fishing line having a first end with a sliding loop formed on the first end of the fishing line;

the sliding loop having a diameter which may be decreased and increased to [respective] respectively engage and disengage the fishing line and a fishing device;

the sliding loop formed by a sliding loop knot defined in part by a first loop and a second loop;

the second loop formed adjacent to the first loop;

the first end of the fishing line wrapped through both the first loop and the second loop and around a central portion of the fishing line;

the first end of the fishing line drawn away from the first loop and the second loop to form the sliding loop knot; and

the sliding loop knot operable to slide along [to] the fishing line to increase and decrease the diameter of the sliding loop.